



# **EQUITY: RIGHTS AND RESPONSIBILITIES FOR ENGLISH LEARNERS + Q&A'S**

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# 2015 EL Resources

Joint “Dear Colleague” Letter  
from ED OCR/DOJ

Two Companion Facts Sheets

OELA’s Tool Kit

11-12 CRDC EL Reports from ED OCR/OELA

# ED's OFFICE FOR CIVIL RIGHTS: INTRODUCTION

This presentation provides general information and does not represent a complete recitation of the applicable law and OCR or DOJ policy in this area. It does not provide specific determinations of compliance, which depend on specific facts and are evaluated on a case-by-case basis. The language used in these slides is approved for purposes of this presentation only and should not be used for other purposes.



# ED OCR Mission & Activities

- **Mission:** to ensure equal access to education and to promote educational excellence throughout the nation through vigorous enforcement of civil rights.
- **Activities:**
  - Complaint investigations
  - Compliance reviews
  - Policy guidance
  - Technical assistance



# Laws Enforced by ED OCR

- OCR enforces federal civil rights laws that prohibit discrimination on the basis of:

<b>Race, color, national origin</b>	Title VI of the Civil Rights Act of 1964
<b>Sex</b>	Title IX of the Education Amendments of 1972
<b>Disability</b>	Section 504 of the Rehabilitation Act of 1973 Title II of the Americans with Disabilities Act of 1990
<b>Age</b>	The Age Discrimination Act of 1975
<b>Patriotic youth group status</b>	Boy Scouts of America Equal Access Act

# CRT/DOJ Mission & Activities



- The Civil Rights Division of DOJ works to ensure equal access to educational opportunities through vigorous enforcement of federal civil rights laws using these tools:
  - Complaint investigations
  - Compliance reviews
  - Litigation (including filing cases, intervening, amicus briefs)
  - Out-of-court settlements
  - Coordination of enforcement across federal agencies

# Federal Statutes That DOJ Enforces

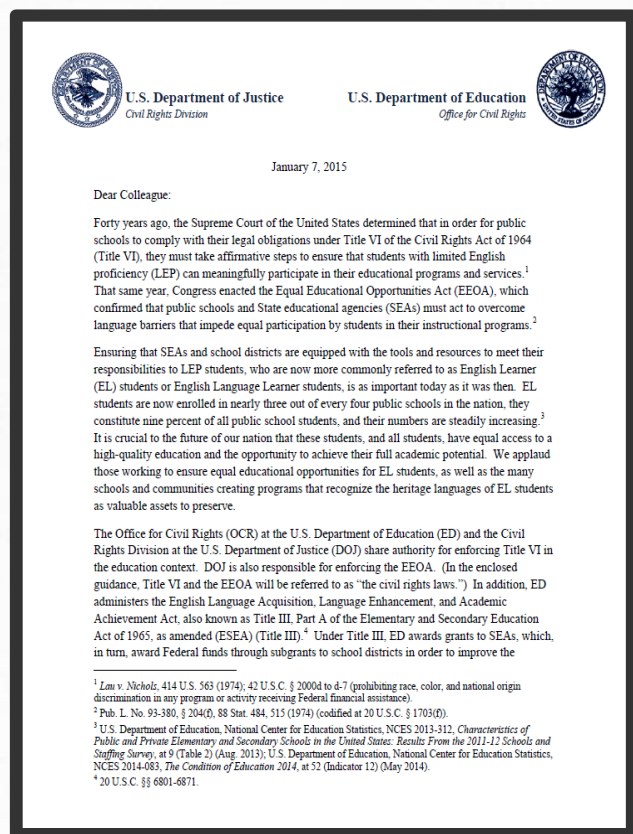
- **Shared Enforcement Authority with ED:**
  - Title VI of the 1964 Civil Rights Act
  - Title II of the Americans with Disabilities Act
  - Title IX of the Education Amendments of 1972
  - Section 504 of the Rehabilitation Act
  - Individuals with Disabilities Education Act
- **DOJ Has Direct Jurisdiction to Enforce:**
  - The Equal Educational Opportunities Act
  - Title III of the Americans with Disabilities Act
  - Title IV of the 1964 Civil Rights Act



# EL GUIDANCE

Jointly Released by ED and DOJ on January 7, 2015, and Available at

<http://www.ed.gov/about/offices/list/ocr/ellresources.html>



Under Title VI of the Civil Rights Act of 1964 (Title VI) and the Equal Educational Opportunities Act of 1974 (EEOA):

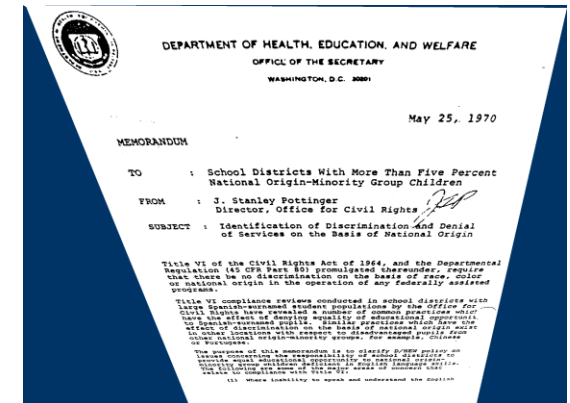
- Public schools must ensure that EL students can participate meaningfully and equally in educational programs.
- The guidance is available in additional languages:
  - Spanish
  - Six others languages



# WHAT IS THE LEGAL BASIS FOR THE GUIDANCE?

- **Title VI** prohibits recipients of Federal financial assistance from discriminating on the basis of race, color, or national origin.  
42 U.S.C. § 2000d to d-7.
- **The EEOA** requires SEAs and LEAs to take “appropriate action to overcome language barriers that impede equal participation by [their] students in [their] instructional programs.” 20 U.S.C. § 1703(f).
- **Case law interpreting Title VI and the EEOA**

# OCR 1970 MEMORANDUM



- Requires school districts to take affirmative steps to rectify language deficiencies in order to open its instructional program to national origin minority group students
- Prohibits school districts from assigning EL students to special education classes on criteria that essentially measure or evaluate English language skills.
- Forbids specialized programs for EL students to operate as an educational dead-end or permanent track.
- Requires school districts to adequately notify language-minority parents of school activities that are called to the attention of other parents. Such notice in order to be adequate may have to be provided in a language other than English.

# SIGNIFICANCE OF *LAU V. NICHOLS*



“[T]here is no equality of treatment merely by providing students with the same facilities, textbooks, teachers, and curriculum; for students who do not understand English are effectively foreclosed from any meaningful education.” – Douglas, J.



# THE EEOA OF 1974

- Congress effectively codified the Supreme Court's holding in *Lau* with respect to states and public schools in Section 1703(f) of the EEOA, but did not make their duty to serve ELs contingent upon federal funding.
- Section 1703(f) requires state and local education agencies to take **appropriate action** to overcome language barriers that impede equal participation by students in the agencies' instructional programs.

# SIGNIFICANCE OF CASTAÑEDA'S THREE-PART TEST

- *Castañeda v. Pickard*, 648 F.2d 989 (5th Cir. 1981).
  - The **educational theory** underlying the language assistance program is recognized as **sound by some experts** in the field or is considered a legitimate experimental strategy;
  - The program and practices used by the school system are **reasonably calculated to implement effectively** the educational theory adopted by the school; and
  - The program succeeds, after a **legitimate trial**, in producing results indicating that students' language barriers are actually being overcome within a reasonable period of time.



# IS THIS EL GUIDANCE APPLICABLE TO ME?

- The Guidance Applies to:
  - **SEAs;**
  - **LEAs; and**
  - any “**school district**” that is a recipient of Federal financial assistance from ED or DOJ including:
    - Public School Districts
    - Public Charter Schools
    - Public Alternative Schools



# EL RESOURCES

<http://www.ed.gov/about/offices/list/ocr/ellresources.html>



U.S. Department of Education

Search...



Student Loans

Grants

Laws

Data

ABOUT ED / OFFICES

## OCR

Office for Civil Rights

- Home
- Programs/Initiatives
- Office Contacts
- Reports & Resources
- News
- About OCR
- Know Your Rights
- Prevention
- Reading Room
- Questions and Answers

## Schools' Civil Rights Obligations to English Learner Students and Limited English Proficient Parents

*The obligation not to discriminate based on race, color, or national origin requires public schools to take affirmative steps to ensure that limited English proficient (LEP) students, now more commonly known as known as English Learner (EL) students or English Language Learners (ELLs), can meaningfully participate in educational programs and services, and to communicate information to LEP parents in a language they can understand.*

*The following materials include information for students and parents, OCR guidance and resources for education officials about their obligations to EL students and LEP parents, and added resources with related information.*

### For Students and Parents

- Fact Sheet, Ensuring English Learner Students Can Participate Meaningfully and Equally in Educational Programs (Jan. 2015) PDF (443K) | Spanish PDF (271K) Chinese - Mandarin Traditional PDF (629K) Chinese - Mandarin Simplified PDF (605K) Cambodian PDF (541K) Hmong PDF (372K) Korean PDF (396K) Laotian PDF (650K) Russian PDF (689K) Tagalog PDF (437K) Vietnamese PDF (660K)
- Fact Sheet, Information for Limited English Proficient Parents and for Schools and School Districts that Communicate with Them (Jan. 2015) PDF (547K) | Spanish PDF (194K) Chinese - Mandarin Traditional PDF (576K) Chinese - Mandarin Simplified PDF (559K) Cambodian PDF (116K) Hmong PDF (439K) Korean PDF (343K) Laotian PDF (484K)

### How Do I Find...

- Student loans, forgiveness
- College accreditation
- No Child Left Behind
- FERPA
- 2015 Budget Proposal
- FAESA

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### Information About...

- Transforming Teaching
- Family and Community Engagement
- Early Learning
- K-12 Reforms

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### Related Topics

- [How to File a Complaint](#)
- [Topics A-Z](#)
- [Civil Rights Data](#)





# EL GUIDANCE: TEN MAIN ISSUES

- 
1. Identifying and Assessing
  2. Providing Language Assistance
  3. Staffing and Supporting
  4. Providing Meaningful Access
  5. Avoiding Unnecessary Segregation
  6. Evaluating EL students for Special Services
  7. Meeting the needs of Students Who Opt Out of EL Services
  8. Monitoring and Exiting EL Students from EL Services
  9. Evaluating Effectiveness
  10. Meaningful Communication with Parents and Guardians
- 

Guidance is available at: <http://www.ed.gov/about/offices/list/ocr/ellresources.html> under "Dear Colleague Letter, English Learner Students and Limited English Proficient Parents" (1/7/15).



# **TOPIC 1: IDENTIFYING AND ASSESSING ALL POTENTIAL EL STUDENTS**

- LEAs must have procedures in place to accurately and timely identify potential EL students (e.g., Home Language Survey).
- Once identified, LEAs must determine if potential EL students are in fact EL through a valid and reliable test that assesses English proficiency in speaking, listening, reading, and writing.
- LEAs must notify all parents of EL services available to their EL child within thirty days of the start of the school year.
- When SEAs mandate the manner in which school districts identify and/or assess EL students, the State-imposed mechanism must meet these requirements.

# **TOPIC 10: ENSURING MEANINGFUL COMMUNICATION WITH LEP PARENTS**

LEP parents are entitled:

- To meaningful communication with the school in a language they can understand; and
  - To adequate notice of information about any program, service, or activity that is called to the attention of non-LEP parents.
- 
- School districts must develop and implement a process for:
    - Determining whether parents are limited English proficient;
    - Identifying their language needs; and
    - Meeting those needs through qualified interpreters and translators.



## **TOPIC 10 CONT.: ENSURING MEANINGFUL COMMUNICATION WITH LEP PARENTS**

- LEAs and SEAs have a duty to ensure meaningful communication with LEP parents in a language they can understand and to adequately notify LEP parents of information about a program, service, or activity of an LEA or SEA that is called to the attention of non-LEP parents.
- Schools must provide translation or interpretation from appropriate and competent individuals who may be on staff or an outside individual.
- Schools may not rely on or ask students, siblings, friends, or untrained school staff to translate or interpret for parents.
- Language assistance must be provided at no cost to parents.

# Fact Sheets: Community & LEP Parent Focused

<http://www.ed.gov/about/offices/list/ocr/ellresources.html>

## 1. Ensuring English Learner Students Can Participate Meaningfully and Equally in Educational Programs

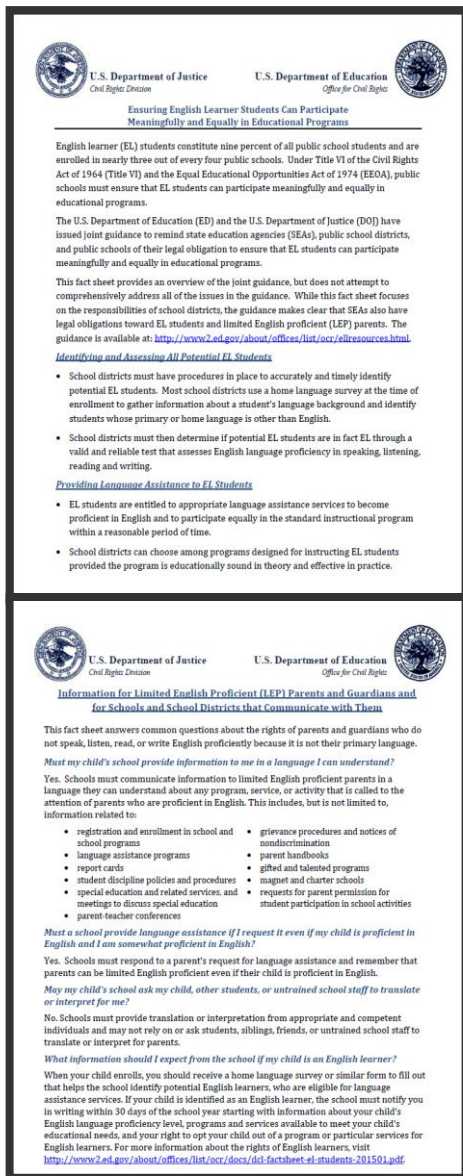
- This fact sheet provides an overview of the joint guidance, but does not attempt to comprehensively address all of the issues in the guidance.
- The fact sheets focuses on the responsibilities of school districts.

## 2. Information for Limited English Proficient Parents and for Schools and School Districts that Communicate with Them

- This fact sheet answers common questions about the rights of parents and guardians who do not speak, listen, read, or write English proficiently because it is not their primary language.

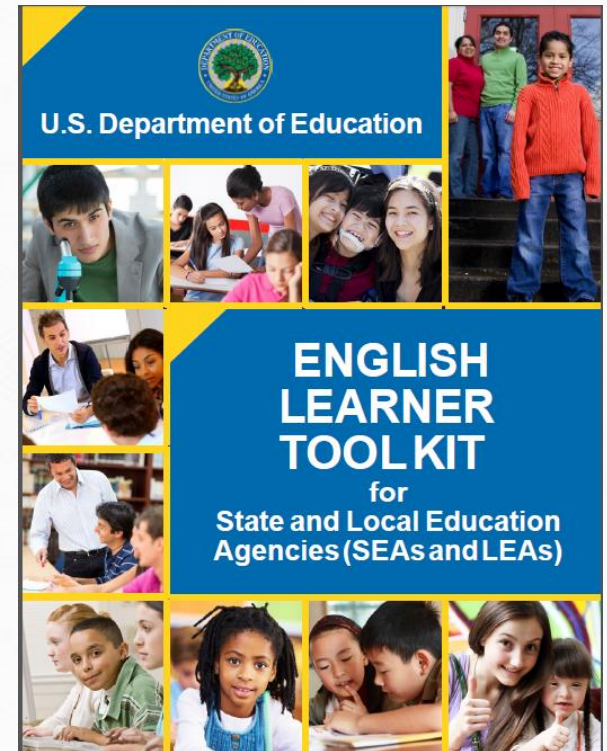
### ■ The facts sheets are available in 11 languages:

- Spanish, Chinese, Cambodian, Hmong, Korean, Laotian, Russian, Tagalog, Vietnamese, and Arabic



# ENGLISH LEARNER TOOL KIT

- Intended to help state and local education agencies in meeting their obligations to English Learners (ELs)
- Should be read in conjunction with the Dear Colleague Letter
- There are ten chapters of the EL Tool kit; each chapter aligned to reflect a section of the Dear Colleague Letter
- Each EL Tool Kit chapter contains an overview, sample tools, and resources relevant to the topic of the chapter
- Completed Tool Kit was released in September 2015



**YOU CAN ACCESS THE EL TOOL KIT AT:**  
**[ED.GOV/OELA/ENGLISH-LEARNER-TOOLKIT/](http://ED.GOV/OELA/ENGLISH-LEARNER-TOOLKIT/)**





# ENGLISH LEARNER TOOL KIT

## Topic 1: Identifying and Assessing All Potential EL Students



### TOOLS AND RESOURCES FOR IDENTIFYING ALL ENGLISH LEARNERS

*This is the first chapter of the English Learner Tool Kit, which is intended to help state and local education agencies (SEAs and LEAs) in meeting their obligations to English Learners (ELs). This tool kit should be read in conjunction with the U.S. Department of Education Office for Civil Rights and the U.S. Department of Justice's joint guidance, "English Learner Students and Limited English Proficient Parents," which outlines SEAs' and LEAs' legal obligations to EL students under civil rights laws and other federal requirements.*

## IDENTIFYING POTENTIAL ENGLISH LEARNERS

### KEY POINTS

- LEAs must identify in a timely manner EL students in need of language assistance services.
- The home language survey (HLS) is the most common tool used to identify potential ELs.
- An HLS must be administered effectively to ensure accurate results.





# ENGLISH LEARNER TOOL KIT

## Topic 1 Cont.: Identifying and Assessing All Potential EL Students

### IDENTIFYING ALL ENGLISH LEARNERS

#### TOOLS

The U.S. Department of Education does not mandate or prescribe particular curricula, lesson plans, assessments, or other instruments in this tool kit. Rather, this tool kit contains examples, adaptations of, and links to resources created and maintained by other public and private organizations. This information is provided for the reader's convenience and is included here as an example of the many resources that educators, parents, advocates, administrators, and other concerned parties may find helpful and use at their discretion. The U.S. Department of Education does not control or guarantee the accuracy, relevance, timeliness, or completeness of this outside information. Further, the inclusion of links to resources does not reflect their importance, nor is such inclusion intended to endorse any views expressed or materials provided.

### HOME LANGUAGE SURVEYS

The following information about home language surveys is provided for the reader's convenience and is included here to offer examples. LEAs are reminded to check with their SEAs to see if a particular HLS is prescribed, and, if so, what the current version is.

The following three HLS questions have been approved by the U.S. Department of Education Office for Civil Rights (OCR) and the U.S. Department of Justice (DOJ) in their compliance work under *Title VI of the 1964 Civil Rights Act* and the *Equal Educational Opportunities Act of 1974*. Asking these three questions, and then testing a student whose parent or guardian responded to one or more of these three questions with a language other than English, is considered minimally compliant under the law.

OCR- and DOJ-approved home language survey questions:

- 1) What is the primary language used in the home, regardless of the language spoken by the student?
- 2) What is the language most often spoken by the student?
- 3) What is the language that the student first acquired?



# ENGLISH LEARNER TOOL KIT

## Topic 1 Cont.: Identifying and Assessing All Potential EL Students

The following home language surveys are provided for the reader's convenience and also included here as examples of such surveys. The inclusion of these examples, or of links to resources, does not reflect their importance, nor is their inclusion intended to endorse any views expressed, or materials provided in them. LEAs should check if their SEA prescribes a particular home language survey because SEAs often do and also continually update them.

### Tiếng Việt (VIETNAMESE)

1. Có nói tiếng nào khác tiếng Anh không được nói ở nhà quý vị không?  
☐ Không ☐ Có \_\_\_\_\_ (hãy cho biết tiếng nào)
2. Con quý vị có nói tiếng nào khác tiếng Anh không?  
☐ Không ☐ Có \_\_\_\_\_ (hãy cho biết tiếng nào)
3. Con quý vị đã học tiếng nào đầu tiên? \_\_\_\_\_ (hãy cho biết tiếng nào)
4. Quý vị muốn nhận được thông tin từ trường học bằng tiếng nào?  
\_\_\_\_\_ (hãy cho biết tiếng nào)
5. Quý vị có quan hệ như thế nào đối với con?  
☐ Cha ☐ Mẹ ☐ Người giám hộ ☐ Quan hệ khác (hãy cho biết) \_\_\_\_\_

### CHINESE

1. 除了英语之外，您家是否还说其他语言？  
o 否 o 是 \_\_\_\_\_ (请说明是哪种语言)
2. 除了英语之外，您的孩子是否还说其他语言？  
o 否 o 是 \_\_\_\_\_ (请说明是哪种语言)
3. 您的孩子最先学习的是哪种语言？ \_\_\_\_\_ (请说明是哪种语言)
4. 您希望学校用哪种语言授课？ \_\_\_\_\_ (请说明是哪种语言)



# ENGLISH LEARNER TOOL KIT

## Topic 1 Cont.: Identifying and Assessing All Potential EL Students



### IDENTIFYING ALL ENGLISH LEARNERS RESOURCES

The U.S. Department of Education does not mandate or prescribe particular curricula, lesson plans, assessments, or other instruments in this tool kit. Rather, this tool kit contains examples, adaptations of, and links to resources created and maintained by other public and private organizations. This information is provided for the reader's convenience and is included here as an example of the many resources that educators, parents, advocates, administrators, and other concerned parties may find helpful and use at their discretion. The U.S. Department of Education does not control or guarantee the accuracy, relevance, timeliness, or completeness of this outside information. Further, the inclusion of links to resources does not reflect their importance, nor is such inclusion intended to endorse any views expressed, or materials provided.

Abedi, J. (2009). English language learners with disabilities: Classification, assessment, and accommodation issues. *Journal of Applied Testing Technology*, 10 (4), pp. 1–30. Davis, CA: University of California/Davis, National Center for Research on Evaluation, Standards, and Student Testing. Retrieved from <http://www.testpublishers.org/assets/documents/Special%20issue%20article%202.pdf>

This article addresses issues concerning the assessment, identification, and classification of ELs with disabilities. Accommodations for ELs with disabilities are discussed and recommendations for more accessible assessments for these students are provided.

Bailey, A. (2011). Lessons from AZ's EL identification issues: How guidance could strengthen process. *NCLB Advisor*, 6(4), pp. 5–8. Retrieved from [http://eveaproject.com/doc/A%20%20Bailey%27s%20Piece%209\\_26\\_11%20SO.pdf](http://eveaproject.com/doc/A%20%20Bailey%27s%20Piece%209_26_11%20SO.pdf)

This article reviews the limitations of Arizona's single-question HLS and provides ways these surveys can be improved and complemented to ensure ELs are identified for assessment and receive the services they need.

Bailey, A. and Kelly, K. (2010). *ELPA Validity Evaluation: Creating Enhanced Home Language Survey Instruments*. Retrieved from <http://www.eveaproject.com/doc/HomeLanguageSurveyInstrument.pdf>

This document guides the creation of enhanced home language surveys to better discriminate between students in the general k–12 student population who may need further assessment or placement in English language support services. It also provides a validity argument that the responses to new items will produce meaningful information so that an HLS can be more effectively used for its intended purpose of initially identifying the EL student population.

Bailey, A., and Kelly, K. (2010). The use and validity of home language surveys in state English language proficiency assessment systems: A review and issues perspective. Retrieved from <http://www.eveaproject.com/doc/Bailey%20%20Kelly%20HLS%20EVEA%20%20white%20paper%20July%202010%20revised%20Jan%202011and%20Sept%202011.pdf>

This paper focuses on the home language surveys used by five SEAs to initially identify students who may be eligible for language assistance services. Contents include a brief history of the use of such surveys in U.S. schools and current practices with





# ENGLISH LEARNER TOOL KIT

## Topic 10: Ensuring Meaningful Communication with LEP Parents

### CHAPTER 10



#### TOOLS AND RESOURCES FOR ENSURING MEANINGFUL COMMUNICATION WITH LIMITED ENGLISH PROFICIENT PARENTS

*This is the tenth chapter of the English Learner Tool Kit, which is intended to help state and local education agencies (SEAs and LEAs) meet their obligations to English Learners (ELs). This tool kit should be read in conjunction with the U.S. Department of Education Office for Civil Rights' (OCR) and the U.S. Department of Justice's (DOJ) Dear Colleague Letter on "English Learner Students and Limited English Proficient Parents," published in January 2015, which outlines SEAs' and LEAs' legal obligations to ELs under civil rights laws and other federal requirements. The Dear Colleague Letter can be found at <http://www2.ed.gov/about/offices/list/ocr/ellresources.html>.*

### ENSURING MEANINGFUL COMMUNICATION WITH LIMITED ENGLISH PROFICIENT PARENTS

#### KEY POINTS

- SEAs and LEAs have an obligation to communicate meaningfully with limited English proficient (LEP) parents and to notify LEP parents adequately of information about any program, service, or activity called to the attention of non-LEP parents.
- LEAs must have a process to identify LEP parents and provide them with free and effective language assistance, such as translated materials or an appropriate and competent interpreter.
- Appropriate and competent translators or interpreters should have proficiency in target languages; ease of written and oral expression; knowledge of specialized terms or concepts; as well as be trained on their role, the ethics of interpreting and translating, and the need for confidentiality.



# ENGLISH LEARNER TOOL KIT

## Topic 10 Cont.: Ensuring Meaningful Communication with LEP Parents

### TOOL #1: ESTABLISHING FAMILY-SCHOOL PARTNERSHIPS (CONTINUED)

Figure 2: The Dual Capacity-Building Framework for Family-School Partnerships



# ENGLISH LEARNER TOOL KIT

## Topic 10 Cont.: Ensuring Meaningful Communication with LEP Parents

### TOOL #3 INTERPRETATION AND TRANSLATION RESOURCES

The following tool is a sampling of resources for interpretation and translation resources from the U.S. Department of Justice's LEP.gov website. Not all resources on the website are listed below. It is important to note that the interpretation and translation resources included here are not necessarily endorsed by ED, DOJ, or the Federal Interagency Working Group on LEP. A more complete list of LEP information and resources can be found at [http://www.lep.gov/interp\\_translation/trans\\_interpret.html](http://www.lep.gov/interp_translation/trans_interpret.html).

Limited English Proficiency (LEP)  
A Federal Interagency Website

LEP.gov  
Mission Statement

#### A. Federal Resources

1. [Before You Hire—Ask Yourself: "What Are My Project's Language Needs?"](#)—TIPS (Translation and Interpretation Procurement Series) for making language service hiring decisions. (PDF)
2. [TIPS on Hiring the Right Telephonic Interpretation Vendor](#)—TIPS to finding a high-quality telephone interpretation vendor. (PDF)
3. [TIPS for Working With Telephone Interpreters](#)—TIPS for planning, placing, and troubleshooting phone calls with telephone interpreters. (PDF)
4. [What Does It Mean to Be a Certified Linguist?](#)—TIPS for discovering vendor and linguist qualifications. (PDF)
5. [Top 10 Best Practices for Multilingual Websites](#)—Suggestions include providing prominent access on the English site and ensuring that the multilingual site and English site provide a comparable experience.
6. Lost in Translation, [Automated Translations—Good Solution or Not?](#)

#### B. The Difference Between an Interpreter and a Translator

1. "[T]he ordinary or common meaning of 'interpreter' does not include those who translate writings. Instead, we find that an interpreter is normally understood as one who translates orally from one language to another." *Taniguchi v. Kan Pac. Saipan, Ltd.*, 132 S. Ct. 1997, 2003-04 (May 21, 2012).
2. *What is the difference between a bilingual staff person and an interpreter or translator?* [DOJ Question 11, Commonly Asked Questions and Answers Regarding Limited English Proficient \(LEP\) Individuals](#)

#### C. National Interpreter and Translator Associations and Organizations

1. [Regional and State Interpreter Associations](#) (Word document)
2. [Interpreter and Translator Training and Certification Programs](#) (Word document)





# ENGLISH LEARNER TOOL KIT

## Topic 10 Cont.: Ensuring Meaningful Communication with LEP Parents

### ENSURING MEANINGFUL COMMUNICATION WITH LIMITED ENGLISH PROFICIENT PARENTS

#### RESOURCES

The U.S. Department of Education does not mandate or prescribe particular curricula, lesson plans, assessments, or other instruments in this tool kit. Rather, this tool kit contains examples of, adaptations of, and links to resources created and maintained by other public and private organizations. This information is provided for the reader's convenience and is included here to offer examples of the many resources that educators, parents, advocates, administrators, and other concerned parties may find helpful and use at their discretion. The U.S. Department of Education does not control or guarantee the accuracy, relevance, timeliness, or completeness of this outside information. Further, the inclusion of links to resources does not reflect their importance, nor is such inclusion intended to endorse any views expressed, or materials provided. All links included here were verified on September 8, 2015. The list of resources will be updated and revised in the future.

American Speech-Language-Hearing Association. (n.d.). Collaborating with interpreters: Overview. Retrieved from <http://www.asha.org/PRPSpecificTopic.aspx?folderid=8589935334&section=Overview>

The American Speech-Language-Hearing Association outlines several roles and responsibilities for providing culturally-competent materials and translation or interpretation services when working with non-English speakers. The article is written for speech and language pathologists; however, it provides suggestions that LEAs may wish to consider when working with interpreters and translators.

Breiseth, L. (2011, August). *Engaging ELL families: 20 strategies for school leaders with questions for reflection and checklists*. Washington, DC: Colorín Colorado. Retrieved from [http://www.colorincolorado.org/pdfs/articles/Engaging-ELL-Families\\_A-Checklist-for-School-Leaders.pdf](http://www.colorincolorado.org/pdfs/articles/Engaging-ELL-Families_A-Checklist-for-School-Leaders.pdf)

This guide offers 20 ideas to help school leaders strengthen home-school partnerships; engage staff, parents, and students; create a culture of respect in the community; and advocate and allocate resources for EL families. The guide has six sections: (1) connecting with EL families, (2) communicating important information, (3) parent participation, (4) parents as leaders, (5) community partnerships, and (6) creating a plan of action.

Bridging Refugee Youth & Children's Services. (n.d.). Federal requirements to provide interpretation/translation in the schools. In *Refugee children in U.S. schools: A toolkit for teachers and school personnel*. Washington, DC: Author. Retrieved from <http://www.brycs.org/documents/upload/Interpretation-Translation-FAQ.pdf>

This chapter of the BRYCS tool kit on refugee children provides information about federal laws and regulations on national origin discrimination, and translation and interpretation for students and parents. Educational glossaries are included, along with other resources on etiquette for translators, suggestions for improving LEP services, and the effective use of interpreters for parent-teacher conferences.

Center for Parent Information and Resources. (2015). English language learners (ELL) resources. Retrieved from <http://www.parentcenterhub.org/topics/ell/>

The Center for Parent Information and Resources provides assistance to parents of ELs. The resources provide information on using interpreters effectively, ensuring EL students have equal access to high-quality education, and the education rights of immigrant children, among other topics. The page provides links to all resources.

Colorín Colorado. (n.d.). For families. Retrieved from





**CRDC**  
Civil Rights Data Collection

**MAKING COMPLEX DATA AVAILABLE TO THE PUBLIC**

# Purpose

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- ❑ The Civil Rights Data Collection (CRDC), which began in 1968, is a biennial collection of district- and school-level data.
- ❑ The CRDC is a longstanding and important aspect of the U.S. Department of Education's Office for Civil Rights' overall strategy for administering and enforcing the civil rights statutes for which it is responsible.
- ❑ The CRDC is a complex, wide-ranging data collection used to measure the equity health of public schools and districts across the nation.
- ❑ The data are collected directly from school districts and are collected for all schools within a district.\*

# Survey Population

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- ❑ Generally has been a sample of 6,000 districts
- ❑ 2009-10 – included 7,000 districts and long term secure juvenile justice facilities
- ❑ 2011-12 – universe with approximately 17,000 districts \*
- ❑ 2013-14 – universe with over 17,000 districts
- ❑ 2015-16 – planned to be a universal survey
- ❑ 2017-18 – Federal Register notice forthcoming \*

# What data are collected?

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# CRDC Data Elements

## Enrollment & School Characteristics

- Overall Enrollment
- Prekindergarten
- IDEA and Section 504
- Interscholastic Athletics
- Single Sex Classes

## Staffing & Resources

- Teacher Experience
- Teacher Absenteeism
- Teacher Certification
- School Counselors
- School-level Expenditures

## Pathways to College & Career

- Early Childhood Education
- Gifted & Talented
- Algebra I Enrollment and Passing by grade 7 or 8, 9 or 10, 11 or 12
- Student Retention by grade

## College & Career Readiness

- Geometry: courses & enrollment
- Algebra II: courses & enrollment
- Other Advanced Mathematics: courses & enrollment
- Calculus: courses & enrollment
- Biology: courses & enrollment
- Chemistry: courses & enrollment
- Physics: courses & enrollment
- AP: Courses, Test-taking, and Test-Passing
- IB Enrollment
- SAT/ACT

## Discipline, Bullying & Harassment, Restraint & Seclusion

- Corporal punishment
- Suspensions: in-school and out-of-school
- Expulsions: with & without ed. services, zero tolerance
- Referrals to law enforcement & school-related arrests
- Students subjected to and instances of mechanical restraint, physical restraint, and seclusion
- Bullying and harassment on the basis of sex, national origin, and disability

Most student count data is disaggregated by gender, race/ethnicity, LEP, and disability status.

# How are the data used?

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# Who uses the data?

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## Office for Civil Rights

- Complaint Investigations
- Technical Assistance
- Compliance Reviews

## Offices across the U.S. Department of Education

- Office of English Language Acquisition (OELA): Evaluation and technical assistance
- Office of Planning, Evaluation and Policy Development (OPEPD): State equity profiles, data analysis
- Office of Elementary and Secondary Education (OESE): School improvement

## Department of Justice

- Joint and related civil rights enforcement activities

Researchers, School Districts, Administrators, Advocates, and the Public



What tools are  
available to  
access the data?

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# PRIOR PRESENTATION OF DATA

Switch to: <a href="#">basic view</a>   <a href="#">expanded view</a> Showing <input type="text" value="counts"/>	Category	Sex	Race/Ethnicity							
			American Indian or Alaska Native	Asian	Hawaiian/Pacific Islander	Hispanic	Black	White	Two or more races	Total
NOTHER COURSE TO COLLEGE (MA) <a href="#">Profile</a> ICES ID: 250279000698 BOSTON (MA) <a href="#">Profile</a> 2011)	Total enrollment	M	0	5	0	62	53	14	2	136
		F	0	5	0	56	47	8	2	118
	Gifted/talented	M	0	0	0	0	0	0	0	0
		F	0	0	0	0	0	0	0	0
	Need LEP	M	0	0	0	11	2	0	0	13
		F	0	0	0	5	2	0	0	7
	Enrolled in LEP	M	0	0	0	11	2	0	0	13
		F	0	0	0	5	2	0	0	7
	Prekindergarten and Early Childhood	M	0	0	0	0	0	0	0	0
		F	0	0	0	0	0	0	0	0
	Students with Disabilities served under IDEA	M	<=2	<=2	<=2	13	19	<=2	<=2	32
		F	<=2	<=2	<=2	10	10	<=2	<=2	20
	Students served under Section 504 of the Rehabilitation Act of 1973 but not served	M	0	0	0	0	0	0	0	0
		F	0	0	0	0	0	0	0	0

# HTTP://OCDATA.ED.GOV

← → G ocrdata.ed.gov

ED.gov

CIVIL RIGHTS Data Collection

School & District Search

Data Analysis Tools

Detailed Data Tables

2013-14 Data and Information

State and National Estimations

Additional Resources


FAQs/User Guide

Office for Civil Rights(OCR)

Do you know the CRDC includes data about...

- \* Enrollment
- \* Demographics
- \* Prekindergarten
- \* Math & Science Courses
- \* Advanced Placement
- \* SAT/ACT
- \* Discipline
- \* School Expenditures
- \* Teacher Experience


Looking for the 2015-16 CRDC?



## CIVIL RIGHTS Data Collection


Wide-ranging education access and equity data collected from our nation's public schools.

Quick Access




**2013-14 Data and Information**

- Access 2013-14 data resources
- View First Look Report




**2009-10 & 2011-12 District or School Reports**

- Find school- or district-level summaries
- Access all data for a single school or district




**Data Analysis Tools**

- Create custom graphs and tables
- View data longitudinally



**Detailed Data Tables**

- View and compare data across multiple schools and districts
- 2000, 2004, 2006, 2009-10 and 2011-12 CRDC data



**State and National Estimations**

- Download 2000, 2004, 2006, 2009-10 and 2011-12

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# Live Demonstration

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Go to: [ocrdata.ed.gov](https://ocrdata.ed.gov)

# Find District or School Data

ED.gov

CIVIL RIGHTS Data Collection

CRDC > School/District Search

School & District Search

Detailed Data Tables

State and National Estimations

Additional Resources

FAQs/User Guide

Office for Civil Rights(OCR)

Do you know the CRDC includes data about...

- \* Enrollment
- \* Demographics
- \* Prekindergarten
- \* Math & Science Courses
- \* Advanced Placement
- \* SAT/ACT
- \* Discipline
- \* School Expenditures
- \* Teacher Experience

Looking for the 2013-14 CRDC?

Find School(s)

Find District(s)

Basic Search

To find the school(s) that you are looking for, enter one or more search criteria and click 'School Search'

School Name

District Name

School ID

State (Choose 1 or more)

Obama

Louisiana

Maine

Maryland

Massachusetts

Michigan

Street Address

City

Zip Code

Distance

Survey Year

0

2011

OCR Regional Office

School Search

Reset Search Criteria

Search Tip: If you are having difficulty finding your school, try entering only the city, zip and/or keyword in the name field.

Advanced Search Criteria

Characteristics, Membership, Staffing and Finance

College and Career Readiness

Discipline

1 Records Returned for School Search Results

Click on the school or district name to view the associated profile.


Export to Excel

Values shown below are displayed as percentages (except Total Enrollment)

All columns are sortable

District	School Name	State	Total	American Indian/ AK Native	Asian	Hawaiian/ Pacific Islander	Black	Hispanic	White	2 or more races	LEP	IDEA	504
<a href="#">PRINCE GEORGE'S COUNTY PUBLIC SCHOOLS</a>	<a href="#">BARACK OBAMA ELEMENTARY</a>	MD	833	0.5	1.2	2.6	89.4	4.1	0.2	1.9	3.0	7.1	2.6

# District or School Profile



CIVIL RIGHTS Data Collection

CRDC > School/District Search > Summary of Selected Facts

School & District Search

Characteristics & Membership

Staffing & Finance

Pathways to College and Career Readiness

College & Career Readiness

Discipline, Restraints/ Seclusion Harassment/ Bullying

Custom Charts & Detailed Data Tables

State and National Estimations

Additional Resources

FAQs/User Guide

Office for

WAKEFIELD HIGH | [ARLINGTON CO PBLC SCHS](#) | ARLINGTON, VA

NCES ID: 510027000111 (Survey Year: 2009)

Summary of Selected Facts

School Characteristics and Membership

WAKEFIELD HIGH District: ARLINGTON CO PBLC SCHS

NCES ID: 510027000111

Grades Offered: 9,10,11,12

Student Enrollment

Total Enrollment 1,610

Student Demographics

American Indian/Alaska Native 0.3%

Asian/Pacific Islander 10.9%

Black 27.0%

Hispanic 46.3%

White 15.5%

Female 48.8%

Male 50.9%

Students with Disabilities (IDEA) 17.1%

Section 504 Only 0.3%

Limited English Proficiency (LEP) 26.1%

Free and Reduced-price Lunch (FRPL) 41.9%

SOURCE: U.S. Department of Education, National Center for Education Statistics, 2009-10.

School Information

Title I Classification

Focused Primarily on students with disabilities

Magnet Program

Charter School

Alternative School

Grouping for math/ELA

Offers PreK

Offers Kindergarten

Offers Gifted/Talented Program

Offers AP Courses

Offers Single Sex Classes

Offers Interscholastic Athletics

LEA Information

Total Schools 30

Total Enrollment 20,295

Additional Profile Facts Available

Characteristics and Membership

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# LEP Summary Report

## District LEP Summary

### District Characteristics

#### Number of Schools: 474

Receiving Title I Funds: 289

Classified as Charter Schools: 107

Classified as Magnet Schools: 40

Offering Advanced Placement: 74

Offering Gifted & Talented Education Programs: 382

#### Student Enrollment: 350522

American Indian/Alaskan Native: 0.1%

Asian/Pacific Islander: 1.2%

Black: 23.9%

Hispanic: 65.8%

White: 8.3%

Female: 48.8%

Male: 51.2%

Students with Disabilities (IDEA): 10.0%

Section 504 Only: 0.0%

Limited English Proficiency (LEP): 20.1%

### Additional Profile Facts Available

Characteristics and Membership >

#### LEP Summary (New)

→ [Total LEP Students](#)  
→ [LEP Students Enrolled in LEP Programs](#)

→ [Students with Disabilities \(IDEA\)](#)

→ [Students with Disabilities \(504\)](#)

→ [EDFacts IDEA](#)

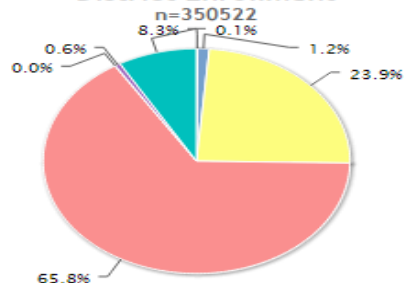
→ [Single-sex Interscholastic Athletics](#)

→ [Single-sex classes](#)

### LEP Enrollment

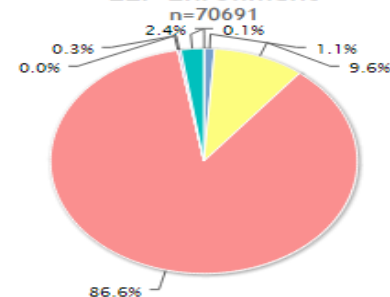
Compared to overall enrollment, what is the race/ethnicity of students who are Limited English Proficient?

**District Enrollment**



Am Ind/AK Nat 0.1% Asian 1.2%  
Black 23.9% Hispanic 65.8%  
Nat HI/Pac Isl 0.0% Two or More 0.6%  
White 8.3%

**LEP Enrollment**



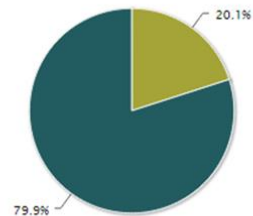
Am Ind/AK Nat 0.1% Asian 1.1%  
Black 9.6% Hispanic 86.6%  
Nat HI/Pac Isl 0.0% Two or More 0.3%  
White 2.4%

# LEP Summary Report Cont.

## Pathways to College and Career Readiness

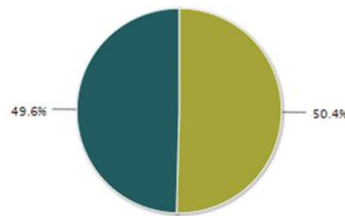
Compared to overall enrollment, what proportion of students who are enrolled in Early Childhood programs are LEP?

**District Enrollment (PK-12)**  
n=350523



LEP 20.1% Non-LEP 79.9%

**Early Childhood Enrollment**  
n=7745

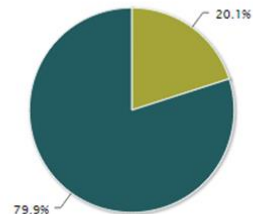


LEP 50.4% Non-LEP 49.6%

## College and Career Readiness

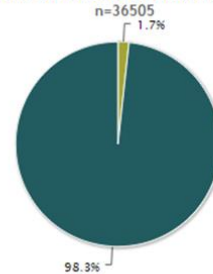
Compared to overall enrollment, what proportion of students who are enrolled in gifted and talented programs are LEP?

**District Enrollment (PK-12)**  
n=350523



79.9%

**Students in Gifted/Talented Programs**  
n=36505



98.3%

# Search Tips

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- ❑ Use the Basic Search to search for a school by name
- ❑ Every field does not need to be filled; Using fewer fields will create more search results
- ❑ Try partial word searches if you are uncertain about the exact spelling of a school name
- ❑ Search based on keyword and avoid using common terms that could have different abbreviations

# Options for Involving ED OCR

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- **File a Complaint with OCR**

- A complaint may be filed by mail or fax with any OCR office or by using OCR's electronic complaint form at
  - [www.ed.gov/ocr/complaintintro.html](http://www.ed.gov/ocr/complaintintro.html) (in English)
  - <http://www.ed.gov/about/offices/list/ocr/index.html#raiol> (in other languages)

- **Request Technical Assistance from OCR**

- Contact OCR's office serving your state by phone or email with questions, concerns, or requests.
- For contact information visit [www.ed.gov/ocr](http://www.ed.gov/ocr) or call OCR's customer service team at 1-800-421-3481.

# Links to Resources

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ED and DOJ Guidance on English Learners

[www.ed.gov/ocr/letters/colleague-el-201501.pdf](http://www.ed.gov/ocr/letters/colleague-el-201501.pdf)

Schools' Civil Rights Obligations to EL Students and Limited English Proficient Parents

[www.ed.gov/ocr/ellresources.html](http://www.ed.gov/ocr/ellresources.html)

English Learner Tool Kit

[www.ed.gov/oela/english-learner-toolkit/](http://www.ed.gov/oela/english-learner-toolkit/)

National Clearinghouse for English Language Acquisition (NCELA)

<http://ncela.ed.gov/>

ED Immigrant Landing Page

<http://www2.ed.gov/about/overview/focus/immigration-resources.html>

White House Task Force on New Americans:

<https://www.whitehouse.gov/issues/immigration/new-americans>



U.S. DEPARTMENT  
OF EDUCATION